

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

P.S. - Commercial Taxes Department - Sri C.Swamynadhan, former Deputy Commercial Tax Officer (now Retd.,) - Violation of A.P.C.S (Conduct) Rules, 1964 - Disciplinary action under Rule 20 of A.P.C.S.(CC&A) Rules, 1991 with rule 9 of A.P. Revised Pension Rules, 1980 - Initiated - Articles of charges - Further action dropped under Rule 9 (2) (b) of A.P. Revised Pension Rules, 1980 - Orders - Issued.

REVENUE (VIGILANCE-I) DEPARTMENT

G.O.Rt.No.640

Dt.28.05.2014
Read the following :

- 1.Complaint dated 16-01-2011 and 02-02-2011 made by Dr.Vamshi Duvvalla, Gandhi Hospital, Hyderabad.
- 2.Goverment memo No.10787/Vig.I(1)/2011-1, dt.25-03-2011.
- 3.Lr.No.DZ(2)/1161/2010, dt.24-08-2012 of CCT along with Preliminary Report of AC (CT), LTU, Chittoor Division.
- 4.Govt.Memo No.10787/Vig.I(1)/2011-3, dated 27-11-2012.
- 5.Preliminary Report of CTO, Tirupathi-II, Tiruathi vide ref.No. B1/315/2011, dated 29-11-2013 received from CCT vide letter No.V2/04/2014, dated 24-01-2014.
- 6.G.O.Ms.No.110, Revenue(Vig.I) Dept., dated.01-03-2014.
- 7.G.O.Rt.No.308, Revenue(Vig.I) Dept., dated.01-03-2014.
- 8.Written Statement of Defence dated 01-04-2014 of Sri C.Swamynadhan, DCTO (Retd.,) received from CCT vide Lr.No. V2/04/2014, dt.26-4-14.

Whereas in the reference 1st read above, complaint has been received against Sri C.Swamynadhan, former Deputy Commercial Tax Officer (now Retd.,) alleging that several movable and immovable properties have been acquired by him at various places by corrupt practices and that he had not disclosed the details of the same to the Government. In the reference 2nd read above, the Commissioner of Commercial Taxes has been requested to conduct a detailed inquiry in the matter and to submit report. In the meantime the above officer has retired from service on 30-06-2012 on attaining superannuation.

2. And whereas in the preliminary report received vide referenced 3rd cited, it is observed that the allegations levelled against the above officer have not been thoroughly enquired. Hence vide reference 4th read above, the Commissioner of Commercial Taxes has been requested to conduct further detailed enquiry into the matter and to furnish draft article of charges for taking further action against the above officer under rule 9 (2) (b) of A.P. Revised Pension Rules, 1980.

3. And Whereas in the reference 5th read above, the Commissioner of Commercial Taxes has furnished further Inquiry Report in the matter along with draft Article of Charges in respect of three charges. On verification of the Inquiry Report and the draft article of charges it is observed that the charge No.II (i.e., Amount of Rs.5 lakhs given as dowry by the Charged Officer at the time of the marriage of his daughter Smt.S.Sasikaladevi with Dr.D.Vamsi) and charge No. III (i.e., purchase and construction of house in plot bearing D.No.18-1-3/4, Ramachandranagar, K.T.Road, Tirupathi) took place on 13-11-2009 and in the year 1999 respectively and more than four years have been lapsed and the same barred by limitation for initiation of departmental proceedings as per rule 9 (2) (b) of A.P. Revised Pension Rules, 1980.

P.T.O.,

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4. With regard to Charge No.I, the said charge contained two counts (i.e., purchase of TATA Indica and Maruti 800 cars in the years 2005 and 2009 and disposal of TATA Indica Car in the year 2010). Regarding the 1st count, i.e., purchase of the cars, more than four years have been lapsed and the said count is barred by limitation for initiation of departmental proceedings as per rule 9 (2) (b) of A.P. Revised Pension Rules, 1980. Regarding the 2nd count, i.e., disposal of the TATA Indica Car, the exact date of disposal of the said car is not available and as such departmental proceedings has been initiated against Sri C.Swamynadhan, former Deputy Commercial Tax Officer (now Retd.,) vide reference 6th read above. Article of charge has been framed vide reference 7th read above under rule 20 of APCS (CCA&A) Rules, 1991 read with 9 of A.P. Revised Pension Rules, 1980 for violation of APCS (Conduct) Rules, 1964.

5. Whereas in the reference 8th read above, Sri C.Swamynadhan, former Deputy Commercial Tax Officer (now Retd.), has submitted Written Statement of Defence to the Charge stating that the said TATA Indica Car has been purchased, in February 2009, by his wife Smt.K.Kanthamma, who is also a pensioner, by raising loan from SBI, Trirupathi. Later she disposed the same on 04-01-2010. During that period he had been frequently under medical supervision and as such he could not intimate the same to the Government immediately, but the details of the said transaction have been shown by him in the APRs submitted for the year ending 31-12-2010.

6. The Written Statement of Defence submitted by the Charged Officer has been examined. As per the evidence produced by him, the TATA Indica car has been disposed by Smt.K.Kanthamma, the wife of the Charged Officer, to one Sri M.A.Sunil Ahmed, R/o.Khadi Colony, Trupathi on 04-01-2010 and the said event also took place four years before the date of initiating disciplinary proceedings against him in the reference 6th read above and that the same is also barred by limitation as per rule 9 (2) (b) of A.P. Revised Pension Rules, 1980.

7. Now, therefore in exercise of the powers conferred under rule 9 (2) (b) of A.P. Revised Pension Rules, 1980, the Government have decided and hereby drop all further action against Sri C.Swamynadhan, former Deputy Commercial Tax Officer (now Retd.,).

8. The Commissioner of Commercial Taxes, A.P, Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri C.Swamynadhan, former DCTO (now Retd.,)
through the Commissioner of Commercial Taxes, A.P., Hyderabad.

Copy to

The Commissioner, Commercial Taxes Department, A.P., Hyderabad.

The Accountant General, AP, Hyderabad.

The Revenue (CT.I) Department.

PS to Prl. Secretary to Government, Revenue Department.

//Forwarded :: By Order //

SECTION OFFICER.